

In the Matter of the Application of
TDI Communications, Inc.
for a Certificate of Interexchange Authority to
Operate as a Resold Interexchange
Telecommunications Services Provider in the State of Illinois.

Docket No: 01-0654

PREFILED TESTIMONY OF MR. EYAL YECHEZKELL
ON BEHALF OF
TDI COMMUNICATIONS, INC.

November 26, 2001

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OFFICIAL FILE

I.C.C. DOCKET NO. 01-0654

Apple Exhibit No. 1

Witness _____

Date 11/27/01 Reporter Q

Testimony of Mr. Eyal Yechezkel
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I.
INTRODUCTION

1. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.

My name is Eyal Yechezkel. My business address is 322 East 50th Street, New York, NY 10022.

2. WHAT IS YOUR POSITION WITH TDI COMMUNICATIONS, INC.?

I am the President of TDI Communications, Inc. In this capacity, I am authorized to file and support TDI Communications, Inc.'s Application, and to make a commitment on behalf of TDI Communications, Inc. to adhere to all State laws in Illinois and to this Commission's policies, rules, and orders.

3. PLEASE DESCRIBE YOUR BUSINESS EXPERIENCE AND BACKGROUND.

Since the formation of the Company on July 11, 2001, I have been employed by TDI Communications, Inc. At TDI Communications, Inc., I have held the position of President. As President, I am responsible for all of TDI Communications, Inc.'s operations, including sales, service provisioning, maintenance, customer service and network surveillance. In this capacity, I oversee the entire product line offered by TDI Communications, Inc., from simple voice services to high speed transport products. For a more detailed description of my background, and the background of TDI Communications, Inc.'s management staff, see Exhibit 1 hereto.

II.
PURPOSE AND SUMMARY

4. WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS PROCEEDING?

I submit this testimony on behalf of TDI Communications, Inc. to demonstrate that TDI Communications, Inc.'s application for a license to provide resold interexchange telecommunications services meets appropriate regulatory criteria and is in the public interest. I will also detail the services that TDI Communications, Inc. proposes to offer in Illinois.

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5. PLEASE SUMMARIZE THE MAIN POINTS OF YOUR TESTIMONY.

My testimony will address several major points:

- a description of TDI Communications, Inc.'s application for a license to provide resold interexchange services.
- a description of TDI Communications, Inc.'s managerial and technical qualifications.
- a description of TDI Communications, Inc.'s financial qualifications.
- a description of the specific services TDI Communications, Inc. proposes to offer in the State of Illinois.
- a demonstration that TDI Communications, Inc.'s proposed resold interexchange services are consistent with the public interest.

6. PLEASE DESCRIBE THE AUTHORITY THAT TDI COMMUNICATIONS, INC. SEEKS FROM THE COMMISSION.

TDI Communications, Inc. seeks a license to provide resold interexchange telecommunications services in the State of Illinois.

7. PLEASE DESCRIBE THE CORPORATE STRUCTURE OF TDI COMMUNICATIONS, INC.

TDI Communications, Inc. was incorporated under the name of TDI Communications, Inc. in the State of Delaware on July 11, 2001. Copies of its Certificate and Articles of Incorporation are collectively attached hereto as Exhibit 2. TDI Communications, Inc. is certified to transact business as a foreign corporation in the State of Illinois. A copy of TDI Communications, Inc.'s authorization is attached hereto as Exhibit 3.

**III.
FINANCIAL QUALIFICATIONS**

8. PLEASE DESCRIBE TDI COMMUNICATIONS, INC.'S FINANCIAL QUALIFICATIONS.

In demonstration of its financial qualifications, copies of TDI Communications, Inc.'s pro forma financial statements covering the first three (3) years of operation, are collectively attached hereto as Exhibit 4. These financial statements demonstrate that TDI Communications, Inc. has the financial ability to provide the services that it hereby requests authority to offer to the public. TDI Communications, Inc.'s net revenues will provide TDI Communications, Inc. with more than enough financial resources to fund its operations consistent with the rules of the Illinois Commerce Commission (hereinafter "ICC").

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IV.

MANAGERIAL AND TECHNICAL QUALIFICATIONS

9. PLEASE OUTLINE TDI COMMUNICATIONS, INC.'S MANAGERIAL AND TECHNICAL QUALIFICATIONS.

TDI Communications, Inc. has the technical and managerial resources necessary to provide customers in the State of Illinois with high-quality resold interexchange telecommunications services. TDI Communications, Inc.'s management possesses extensive management and technical experience in the telecommunications industry. A list of the Officers and Directors of TDI Communications, Inc., together with their managerial qualifications are collectively attached hereto as Exhibit 1. The relevant operational and managerial experience of TDI Communications, Inc.'s Executive Management staff is set forth in Exhibit 1 hereto.

10. PLEASE DESCRIBE TDI COMMUNICATIONS, INC.'S CURRENT LICENSES.

TDI Communications, Inc. is currently authorized to provide resold interexchange telecommunications services in the states of Colorado, Idaho, Iowa, Michigan, Montana, New Jersey, New Mexico, Ohio, Texas, Utah and Washington. TDI Communications, Inc. is in the process of petitioning the remaining states of the Union for resold interexchange telecommunications authority. In no instance has an application been denied or rejected.

V.

TDI COMMUNICATIONS, INC.'S PROPOSED SERVICES

11. PLEASE DESCRIBE THE TYPES OF SERVICES THAT TDI COMMUNICATIONS, INC. WILL OFFER IN ILLINOIS.

TDI Communications, Inc. intends to provide resold interexchange telecommunications and prepaid calling card services indiscriminately to both residential and business class customers throughout the entire State of Illinois. TDI Communications, Inc. proposes to acquire and resell various voice and data communications services offered by interexchange carriers, and to package and provide these services for the specialized functions and needs of its customers. In particular, services will be acquired from underlying interexchange carriers at bulk rates and will be resold to Applicant's customers, so that customers will benefit from reduced pricing. The experienced management, technical, and operations expertise of the TDI Communications, Inc. team will enable TDI Communications, Inc. to begin offering competitive high-quality service immediately upon the grant of the authority requested herein.

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In addition to reduced pricing, the introduction of TDI Communications, Inc. services will promote competition and lead to greater efficiencies and more rapid introduction of new technologies in the use of telephone service. Thus, ICC's grant of TDI Communications, Inc.'s application will significantly serve the public interest through enhanced competition in the market for interexchange telecommunications services through the addition of a well managed new entrant into the market.

TDI Communications, Inc. services will be available on a full-time basis, 24 hours a day, seven days a week. Customer Service support will also be available 24 hours a day, seven days a week by calling (888) 800-5236.

12. WHAT FACILITIES WILL TDI COMMUNICATIONS, INC. USE TO PROVIDE ITS PROPOSED INTEREXCHANGE SERVICES?

TDI Communications, Inc. will offer services to its subscribers through the resale of its underlying carriers' facilities and network elements.

All facilities to be used in connection with the provisioning of the proposed services are those of the State's interexchange carriers, and as such, are already constructed and in operation in accordance with any necessary federal and State authorizations.

13. WHAT GEOGRAPHIC AREAS WILL TDI COMMUNICATIONS, INC. SERVE?

TDI Communications, Inc. seeks certification to provide resold interexchange telecommunications services throughout the entire State of Illinois.

14. WILL TDI COMMUNICATIONS, INC. OFFER SERVICE TO ALL CONSUMERS WITHIN ITS SERVICE AREA?

Yes. TDI Communications, Inc. will serve any customers upon request, provided that the service request falls within the terms of TDI Communications, Inc.'s tariff for end user services. TDI Communications, Inc. will provide service indiscriminately to all customers, business and residential.

15. HOW WILL TDI COMMUNICATIONS, INC. ESTABLISH ITS CALLING AREAS?

TDI Communications, Inc. intends to provide service to customers in the territory serviced by Global Crossing, Qwest Communications and MCI WorldCom. TDI Communications, Inc.'s calling areas will be the same as the calling areas of Global Crossing, Qwest Communications and MCI WorldCom.

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16. WILL TDI COMMUNICATIONS, INC.'S TARIFFS CONTAIN ALL OF ITS RATES AND CHARGES AS REQUIRED FOR INTRASTATE TELEPHONE SERVICES?

Yes. All rate elements will be set forth in a readily ascertainable form. TDI Communications, Inc.'s tariff will list specific rate levels for each service and service element, and will otherwise comply with the ICC's Rules. TDI Communications, Inc.'s proposed interexchange tariff, containing its proposed rates, terms, and conditions of service, is attached hereto as Exhibit 5.

17. WILL TDI COMMUNICATIONS, INC. PROVIDE OTHER SERVICES OR SERVICE OPTIONS?

No.

18. WILL TDI COMMUNICATIONS, INC. COMPLY WITH ALL ILLINOIS REGULATORY REQUIREMENTS?

Yes.

VI.
PUBLIC INTEREST CONSIDERATIONS

19. PLEASE DESCRIBE THE PUBLIC INTEREST BENEFITS ASSOCIATED WITH TDI COMMUNICATIONS, INC.'S PROPOSED OFFERING OF TELECOMMUNICATIONS SERVICES IN ILLINOIS.

TDI Communications, Inc. intends to provide service indiscriminately to both residential and business class customers throughout the entire State of Illinois. TDI Communications, Inc. proposes to acquire and resell various voice and data communications services offered by interexchange carriers, and to package and provide these services for the specialized functions and needs of its customers. In particular, services will be acquired from underlying interexchange carriers at bulk rates and will be resold to Applicant's customers, so that customers will benefit from reduced pricing.

The experienced management, technical, and operations expertise of the TDI Communications, Inc. team will enable TDI Communications, Inc. to begin offering competitive high-quality service immediately upon the grant of the authority requested herein.

In addition to reduced pricing, the introduction of TDI Communications, Inc. services will promote competition and lead to greater efficiencies and more rapid introduction of new technologies in the use of telephone service.

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TDI Communications, Inc.'s proposed services will provide multiple public benefits by increasing the efficiency of interexchange carriers by providing users of telecommunications services with greater reliability, and by increasing the competitive choices available to users in the State. Enhanced competition in telecommunications services likely will further stimulate economic development in the State of Illinois. In addition, increased competition will create incentives for lower prices, more innovative services, and more responsive customer service.

Furthermore, the grant of a certificate will not adversely affect the services offered by other interexchange carriers. As has been the case with other competitive initiatives in the State of Illinois, a grant of the requested authority will have minimal impact on the State's interexchange carriers. In fact, interexchange providers have benefitted from market incentives to improve the efficiency of their operations and from increased usage of their services due to expansion of the total market spurred by competition and lower prices. Interexchange telecommunications services competition also will stimulate the demand for the services supplied by all interexchange service carriers, including those of the underlying carriers. The interexchange providers will have market incentives to improve the efficiency of their operations, and they will benefit from the increased use of their services, due to the expansion of the total market and by their competitively driven prices.

VII.

STANDARD TESTIMONY/CROSS QUESTIONS

20. **PLEASE PROVIDE THE NAME, ADDRESS, TELEPHONE, AND FAX NUMBER OF THE PERSON AT YOUR COMPANY THAT WILL BE RESPONSIBLE FOR WORKING WITH THE ICC'S CONSUMER SERVICES DIVISION FOR COMPLAINT RESOLUTION?**

Name: Mr. Eyal Yechezkel
Address: 322 East 50th Street
New York, New York 10022
Telephone: (212) 588-1180
Facsimile: (212) 588-1191

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21. **IS YOUR COMPANY SEEKING ANY WAIVERS OR VARIANCES OF CERTAIN COMMISSION RULES AND REGULATIONS IN THIS PROCEEDING THAT PERTAIN TO INTEREXCHANGE SERVICE? PLEASE PROVIDE EVIDENCE AS TO WHY YOUR COMPANY IS SEEKING ANY WAIVER OR VARIANCE.**

Yes. TDI Communications, Inc. has requested waivers or variances for Commission Rules Part 710 and Part 735.180. TDI Communications, Inc. will maintain its records in accordance to Generally Accepted Accounting Principles (GAAP). TDI Communications, Inc. will not issue directories itself. Directories will be issued by the underlying carriers it will contract with. The request for a waiver of Parts 710 and 735.180 of the Commission Rules is in the public interest. No party will be injured by the granting of the waivers. Commission Rules Parts 710 and 735.180 are not statutorily mandated. It would be unnecessarily burdensome for TDI Communications, Inc. to have to comply with these rules.

22. **WILL YOUR COMPANY COMPLY WITH 83 ILLINOIS ADMINISTRATIVE CODE PART 772, PAY-PER-CALL SERVICES, INCLUDING PART 772.55(A)(1), BILLING AND PART 772.100(D) NOTICES?**

Yes.

23. **WILL YOUR COMPANY COMPLY WITH 83 ILLINOIS ADMINISTRATIVE CODE PART 705, PRESERVATION OF RECORDS OF TELEPHONE UTILITIES?**

Yes.

24. **WILL YOUR COMPANY ABIDE BY 83 ILLINOIS ADMINISTRATIVE CODE PART 735, "PROCEDURES GOVERNING THE ESTABLISHMENT OF CREDIT, BILLING, DEPOSITS, TERMINATION OF SERVICE AND ISSUANCE OF TELEPHONE DIRECTORIES FOR LOCAL EXCHANGE TELECOMMUNICATIONS CARRIERS IN THE STATE OF ILLINOIS"?**

TDI Communications, Inc. will abide by Title 83, Chapter I: Illinois Commerce Commission Subchapter F: Telephone Utilities Part 735, "Procedures Governing the Establishment of Credit, Billing, Deposits, Termination of Service and Issuance of Telephone Directories for Local Exchange Telecommunications carriers in the State of Illinois."

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25. WHO WILL PROVIDE CUSTOMER REPAIR SERVICE FOR YOUR COMPANY?

Service, billing and repair complaints will be handled by TDI Communications, Inc.'s Customer Service Department, available 24 hours a day, seven days a week. TDI Communications, Inc.'s Customer Service Department can be reached by calling (888) 800-5236. On-site service and repair will be handled by the personnel of underlying carriers, pursuant to contract.

26. HOW MANY PEOPLE DOES THE COMPANY EMPLOY?

TDI Communications, Inc. currently has three (3) employees.

27. WILL YOUR COMPANY MEET THE REQUIREMENTS AS THEY PERTAIN TO THE TELEPHONE ASSISTANCE PROGRAMS IMPOSED BY SECTIONS 13.301 AND 13.301.1 OF THE ILLINOIS PUBLIC UTILITIES ACT AND 83 ILLINOIS ADMINISTRATIVE CODE PART 757?

Yes.

28. WILL YOUR COMPANY SOLICIT, COLLECT, AND REMIT THE VOLUNTARY CONTRIBUTIONS FROM ITS TELEPHONE SUBSCRIBERS TO SUPPORT THE TELEPHONE ASSISTANCE PROGRAMS?

Yes.

29. DOES YOUR COMPANY PLAN ON FILING TO BECOME AN ELIGIBLE TELECOMMUNICATIONS CARRIER?

No.

30. DOES THE COMPANY REALIZE THAT IT WILL NOT BE ABLE TO RECEIVE ANY OF THE FEDERAL REIMBURSEMENTS FOR THE LIFELINE AND LINK UP PROGRAMS IF IT IS NOT AN ELIGIBLE CARRIER?

TDI Communications, Inc. understands that it will not be able to receive any federal reimbursement for the Lifeline and Link Up programs if it is not an eligible carrier.

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31. **WILL YOUR COMPANY OFFER ALL OF THE WAIVERS ASSOCIATED WITH THE UNIVERSAL TELEPHONE SERVICE ASSISTANCE PROGRAMS (UTSAP)?**

Yes.

32. **WILL YOUR COMPANY ABIDE BY THE REGULATIONS AS PRESCRIBED IN 83 ILLINOIS ADMINISTRATIVE CODE PART 755, "TELECOMMUNICATIONS ACCESS FOR PERSONS WITH DISABILITIES," 83 ILLINOIS ADMINISTRATIVE CODE PART 756 "TELECOMMUNICATIONS RELAY SERVICE," AND SECTIONS 13-703 OF THE ILLINOIS PUBLIC UTILITIES ACT?**

Yes.

33. **WILL THE COMPANY'S BILLING SYSTEM BE ABLE TO DISTINGUISH BETWEEN RESALE AND FACILITIES BASED SERVICE FOR THE COLLECTION OF THE ITAC LINE CHARGE?**

Yes. The interexchange telecommunications services that TDI Communications, Inc. intends to provide to its business and residential customers in the State of Illinois will be provided exclusively on a resold basis.

34. **PLEASE DESCRIBE YOUR COMPANY'S INTERNAL PROCESS FOR COMPLAINT RESOLUTION, THE ESCALATION PROCESS WITHIN YOUR COMPANY, AND WHEN A CUSTOMER IS NOTIFIED THAT THEY MAY CONTACT THE ILLINOIS COMMERCE COMMISSION FOR ASSISTANCE.**

TDI Communications, Inc. understands the importance of effective customer service for interexchange service consumers.

All customer service related communications from subscribers will initially go to TDI Communications, Inc.'s Customer Service Department for support. Subscribers may contact TDI Communications, Inc. Customer Service Department by calling the Company at its toll-free customer service number (888) 800-5235.

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Subscriber billing questions will be forwarded to a TDI Communications, Inc. Customer Service Representative ("CSR") with on-line access to billing information. The CSR will have the authority to investigate subscriber billing issues and/or questions and make associated limited balance adjustments. If the subscriber is not satisfied with the response from the CSR, at the subscriber's request, the call will be handed off to an account supervisor for resolution. The subscriber's account will be appropriately debited or credited based upon the outcome of this transaction. If the subscriber remains unsatisfied after speaking with the account supervisor, customers may contact the Company in writing at the headquarters address listed below. The toll-free number will be printed on the customers' monthly billing statements. TDI Communications, Inc. services will be available on a full-time basis, 24 hours a day, seven days a week.

Customer complaints can be addressed by calling the TDI Communications, Inc. Customer Service Department's toll-free number, available 24 hours a day, seven days a week (888) 800-5236 or by writing to:

TDI Communications, Inc.
Customer Service Department
322 East 50th Street
New York, New York 10022

Customer Service support will also be available on a full-time basis, 24 hours a day, seven days a week by calling (888) 800-5236.

Customers will be notified that they may contact the ICC for assistance and will work with the particular customer and the ICC to resolve any and all customer complaints.

35. WILL THE COMPANY FILE TARIFFS FOR ALL SERVICES AND CHARGES ASSOCIATED WITH PROVIDING INTEREXCHANGE TELEPHONE SERVICE?

TDI Communications, Inc.'s proposed interexchange tariff, containing its proposed rates, terms and conditions of service, is attached hereto as Exhibit 5. TDI Communications, Inc. believes that the rates, terms and conditions of service contained in the proposed interexchange tariff are competitive and reasonable. Upon approval of TDI Communications, Inc.'s application, TDI Communications, Inc. will submit its interexchange tariff to the ICC for approval and filing.

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36. HOW DOES YOUR COMPANY PLAN TO SOLICIT CUSTOMERS ONCE IT BEGINS TO PROVIDE INTEREXCHANGE SERVICE?

Applicant intends to market its interexchange services to its target market, which consists primarily of business and residential customers, through direct marketing, direct mailings, Internet marketing, telemarketing and, perhaps, via televised infomercials. Copies of TDI Communications, Inc. brochures that will be used to assist in the marketing of Company services are not available, as of this date.

37. WILL YOUR COMPANY ABIDE BY FEDERAL AND STATE SLAMMING LAWS?

TDI Communications, Inc. will not switch a customer's interexchange provider without first obtaining a proper Letter of Authorization ("LOA") from the customer to do so. TDI Communications, Inc. will immediately respond to these reports through its Customer Service Department and will work with the particular customer and the ICC to resolve any and all such reports of slamming.

38. HAS YOUR COMPANY WRITTEN GUIDELINES TO PREVENT THE UNAUTHORIZED SLAMMING OF INTEREXCHANGE CUSTOMERS?

Yes.

39. HAS YOUR COMPANY PROVIDED SERVICE UNDER ANY OTHER NAME?

No.

40. HAVE ANY COMPLAINTS OR JUDGEMENTS BEEN LEVIED AGAINST THE COMPANY? (INSTATE, OUT-OF-STATE, OR FCC).

No.

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VIII.
CROSS QUESTIONS FOR 911

- 41. PLEASE PROVIDE THE NAME, ADDRESS, TELEPHONE AND FAX NUMBER OF THE 911 CONTACT PERSON FOR YOUR COMPANY.**

Name: Mr. Eyal Yechezkeil
TDI Communications, Inc.
Address: 322 East 50th Street
New York, New York 10022
Telephone: (212) 588-1180
Facsimile: (212) 588-1191

- 42. WILL YOUR COMPANY ENSURE THAT 911 TRAFFIC IS HANDLED IN ACCORDANCE WITH THE 83 ILLINOIS ADMINISTRATIVE CODE PART 725 AND THE EMERGENCY TELEPHONE SYSTEM ACT?**

Yes.

- 43. WILL YOUR COMPANY CONTACT AND ESTABLISH A WORKING RELATIONSHIP WITH THE 911 SYSTEMS WHEN YOU BEGIN TO PROVIDE INTEREXCHANGE TELEPHONE SERVICES?**

Yes.

- 44. WILL YOUR COMPANY COORDINATE WITH THE INCUMBENT LEC(S) AND LOCAL 911 SYSTEMS TO PROVIDE TRANSPARENT SERVICE FOR YOUR INTEREXCHANGE CUSTOMERS?**

Yes.

- 45. WHO WILL BE RESPONSIBLE FOR BUILDING AND MAINTAINING THE 911 DATABASE FOR YOUR INTEREXCHANGE CUSTOMERS?**

Global Crossing, Qwest Communications and MCI WorldCom will be responsible for building and maintaining the 911 database for TDI Communications, Inc.'s interexchange customers pursuant to contract.

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46. HOW OFTEN WILL YOUR COMPANY UPDATE THE 911 DATABASE WITH CUSTOMER INFORMATION?

TDI Communications, Inc. will update the 911 database with customer information as often as its underlying carriers do.

47. WILL YOUR COMPANY'S BILLING SYSTEM HAVE THE ABILITY TO DISTINGUISH BETWEEN FACILITIES BASED AND RESALE FOR THE COLLECTION OF THE 911 SURCHARGE?

Yes.

48. DOES YOUR COMPANY HAVE PROCEDURES FOR THE TRANSITIONING OF THE 911 SURCHARGE COLLECTION AND DISBURSEMENT TO THE LOCAL 911 SYSTEM?

Yes.

49. WILL YOUR COMPANY'S PROPOSAL REQUIRE ANY NETWORK CHANGES TO ANY OF THE 911 SYSTEMS?

No.

50. WILL YOUR COMPANY BE ABLE TO MEET THE REQUIREMENTS SPECIFIED UNDER PART 725.500(O) AND 725.620(B) FOR THE INSTALLATION OF CALL BOXES?

Yes.

51. DOES YOUR COMPANY PLAN TO FILE FOR A WAIVER OF PART 725.500(O) AND 725.620(B) IN THE FUTURE?

Yes.

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IX.
FINANCIAL QUESTIONS

52. WHAT CIRCUMSTANCES WARRANT A DEPARTURE FROM THE PRESCRIBED UNIFORM SYSTEM OF ACCOUNTS ("USOA")?

Use of Uniform System of Accounts ("USOA") is not statutorily mandated. No party will be injured by the granting of the waiver of Part 710. Compliance with USOA would be unnecessarily burdensome for TDI Communications, Inc.

53. WILL RECORDS BE MAINTAINED IN ACCORDANCE WITH GENERALLY ACCEPTED ACCOUNTING PRINCIPLES ("GAAP")?

Yes. TDI Communications, Inc. will maintain its records in accordance with Generally Accepted Accounting Principles (GAAP).

54. WILL APPLICANTS ACCOUNTING SYSTEM PROVIDE AN EQUIVALENT PORTRAYAL OF OPERATING RESULTS AND FINANCIAL CONDITION AS THE USOA?

Yes.

55. WILL APPLICANTS ACCOUNTING PROCEDURES MAINTAIN OR IMPROVE UNIFORMITY IN SUBSTANTIVE RESULTS AS AMONG SIMILAR TELECOMMUNICATIONS COMPANIES?

Yes.

56. WILL APPLICANT MAINTAIN ITS RECORDS IN SUFFICIENT DETAIL TO FACILITATE THE CALCULATION OF ALL APPLICABLE TAXES?

Yes.

57. DOES THE ACCOUNTING SYSTEM CURRENTLY IN USE BY APPLICANT PROVIDE SUFFICIENTLY DETAILED DATA FOR THE PREPARATION OF ILLINOIS GROSS RECEIPTS TAX RETURNS? WHAT SPECIFIC ACCOUNTS OR SUB-ACCOUNTS PROVIDE THIS DATA?

Yes.

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58. IF A WAIVER OF PART 710 IS GRANTED, WILL APPLICANT PROVIDE ANNUAL AUDITED STATEMENTS OR ALL PERIODS SUBSEQUENT TO GRANTING OF THE WAIVER?

Yes.

59. DOES APPLICANT AGREE THAT THE REQUESTED WAIVER OF PART 710 WILL NOT EXCUSE IT FROM COMPLIANCE WITH FUTURE COMMISSION RULES OR AMENDMENTS TO PART 710 OTHERWISE APPLICABLE TO THE COMPANY?

Yes.

X.
CONCLUSION

60. DOES THIS CONCLUDE YOUR TESTIMONY?

Yes.

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VERIFICATION

This testimony shall be verified under oath.

OATH

State of New York)
) ss.:
County of New York)

Mr. Eyal Yechezkel makes this oath and says that he is the President of TDI Communications, Inc., that he has examined the foregoing prefiled testimony and that to the best of his knowledge, information, and belief, all statements of fact contained in said prefiled testimony are true, and that said prefiled testimony is a correct statement of the business and affairs of the above-named applicant in respect to each and every matter set forth therein.


Mr. Eyal Yechezkel

Subscribed and sworn to before me, a Notary Public/_____
(Title of person authorized to administer oaths)

in the State and County above named, this 26th day of November, 2001.


(Signature of person authorized to administer oath)

TANYA R. DeROSE
Notary Public, State of New York
No. 03-4973858
Qualified in New York County
Commission Expires Nov. 19, 2003